

CERTIFICATE OF MAILING

I hereby certify that this paper, together with all enclosures identified herein, are being deposited with the United States Postal Service as first class mail, addressed to Mail Stop 16, Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, on the date indicated below.

January 26, 2005  
Date

*Deborah A. Witvoet*  
Deborah A. Witvoet

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit	:	3763
Examiner	:	Mark K. Han
Applicant	:	Emmanuel Mastorakis
Appln. No.	:	10/069,688
Filing Date	:	July 15, 2002
Confirmation No.	:	3726
For	:	MEDICAL DEVICE AND LOCKING MECHANISM THEREFOR

Mail Stop 16  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

2005 FEB -2 PM 3:52

Dear Sir:

REQUEST FOR REFUND

The fee of \$126.00 was charged to the undersigned's deposit account for an additional claims fee for the above-identified patent application. A copy of the December 2004 Deposit Account Statement is enclosed for your reference.

In accordance with the Claims As Amended Cover Sheet filed by facsimile on November 12, 2004, the amount of additional claims fee in the amount of \$63.00 was checked to be charged to Deposit Account 16-2463. A copy of this form evidencing that the fee of \$63.00 for small entity was to be charged to Deposit Account 16-2463 is enclosed.

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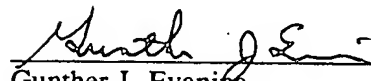
Applicant : Emmanuel Mastorakis  
Appln. No. : 10/069,688  
Page : 2

Accordingly, please refund the \$63.00 fee, which was charged in error to Deposit  
Account No. 16-2463.

Respectfully submitted,  
EMMANUEL MASTORAKIS

By: PRICE, HENEVELD, COOPER,  
DEWITT & LITTON, LLP

January 26, 2005  
Date

  
Gunther J. Evanina  
Registration No. 35 502  
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616/949-9610

GJE/daw

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**Deposit Account Statement**

**Requested Statement Month:** December 2004  
**Deposit Account Number:** 162463  
**Name:** PRICE, HENEVELD, COOPER, DEWITT & LITTON  
**Attention:** JAN KARBON  
**Address:** 695 KENMORE SEP.O. BOX 2567  
**City:** GRAND RAPIDS  
**State:** Add'l Claims MI  
**Zip:** fee 49501

GSE

DATE	SEQ	POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
12/02	34	78185692		8521	\$40.00	\$12,343.00
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12/15	93	1308034		6205	\$100.00	\$9,725.00
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12/22	312	11015372	BEN02 P-361	1202	\$500.00	\$8,515.00
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12/22	354	PCT/US04/35063	GFP01 FP-314B(PCT)	8021	\$40.00	\$8,275.00
12/22	611	78536561		7001	\$335.00	\$7,940.00
12/22	941	78536764	URE02 T-304	7001	\$670.00	\$7,270.00
12/22	956	78536779	URE02 T305	7001	\$670.00	\$6,600.00

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Atty. Docket No. KIL01 P-424

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Art Unit : 3763  
Examiner : Mark K. Han  
Applicant : Emmanuel Mastorakis  
Appln. No. : 10/069,688  
Filing Date : July 15, 2002  
Confirmation No. : 3726  
For : MEDICAL DEVICE AND LOCKING MECHANISM THEREFOR

**Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450**

Dear Sir:

Transmitted herewith is the Amendment in response to the Office Action mailed September 7, 2004 for the above-identified application in which the additional claims fee of \$63.00 is to be charged to Deposit Account No. 16 2463.

Any fee for additional claims has been calculated as shown below:

## CLAIMS AS AMENDED

	Col. 1		Col. 2	Col. 3	Small Entity		Other Than A Small Entity	
	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total Claims	* 60	Minus	** 53	= 7	x \$9	\$ 63	x \$ 18	\$
Independent Claims	* 4	Minus	*** 5	= 0	x \$44	\$ 0	X \$ 88	\$
First Presentation of Multiple Dependent Claims \$150						\$ 0	x \$300	\$
TOTAL ADDITIONAL FEE FOR THIS AMENDMENT						\$ 0		\$

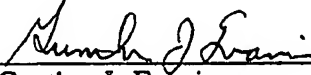
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Applicant : Emmanuel Mastorakis  
Appln. No. : 10/069,688  
Page : 2

1. X Small entity status of this application 37 CFR §§1.9 and 1.27 has been established by a verified statement previously submitted or is enclosed.
2.    No additional fee is required.
3. X The additional claims fee in the amount of \$63.00 is to be charged to the Deposit Account No. 16 2463.
4. X Please charge any additional fees or credit overpayment to Deposit Account No. 16 2463. A duplicate copy of this sheet is attached.

PRICE, HENEVELD, COOPER,  
DEWITT & LITTON, LLP

November 12, 2004  
Date

  
\_\_\_\_\_  
Gunther J. Evanina  
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Atty. Docket No. KIL01 P-424

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Art Unit : 3763  
Examiner : Mark K. Han  
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Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

AMENDMENT

In response to the Office Action mailed September 7, 2004, and in view of a telephonic interview (October 12, 2004), Applicant respectfully requests consideration of the following amendment and remarks.

Amendments to the claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 11 of this paper.

Adjustment Date: 03/14/2005 SDIRETA1  
12/06/2004 ENIMMONS 00000014 162463 10069688  
01 FC:1202 126.00 CR

02/06/2004 ENIMMONS200000024 162463 10069688

PAGE 019 - RCVD AT 11/12/2004 6:28:50 PM (Eastern Standard Time) - SVR:USPTO-ETX07-1A - DNS:8720306 - CSID:616 957 8196 - DURATION (mm-ss):00-00

03/15/2005 SDIRETA1 00000001 162463 10069688  
01 FC:2202 63.00 DA